

 <p style="text-align: center;">WEST VIRGINIA DIVISION OF JUVENILE SERVICES</p>		<u>POLICY NUMBER:</u> <div style="font-size: 2em; font-weight: bold; text-align: center;">148.00</div>	<u>PAGES:</u> <div style="text-align: center;">3</div>
<u>CHAPTER:</u> Administration and Management	<u>REFERENCE AND RELATED STANDARDS:</u> WV Code Chapter §§ 49-5-16a and 49-5E et seq.; ACA 3-JTS-1C-07; ACA 3-JDF-1C-05; and ACA 3-JCRF-1C-03		
<u>SUBJECT:</u> Equal Employment Opportunity			
<u>DATE:</u> October 1, 2007			

POLICY

It is the policy of the Division of Juvenile Services to be fair and equitable in all its relations with its employees and applicants for employment without regard to race, color, religion, ancestry, age, national origin, sex, military status, or disability. The Division of Juvenile Services strives to achieve full compliance with all federal, state and local laws relating to Equal Employment Opportunity, Affirmative Action, and discrimination.

CANCELLATION

This policy supersedes Policy Directive 4.15 dated September 28, 2004.

APPLICABILITY

This Policy applies to ALL Division of Juvenile Services' Facilities, offices and employees.

DEFINITIONS

1. **Employee:** For the purpose of this policy, this shall include all persons working within the Division of Juvenile Services which shall include, but not be limited to; full time, part time, temporary, permanent, contracted employees, education employees and volunteers within the division.
2. **Equal Employment Opportunity (EEO) Coordinator:** An employee appointed by the Director who serves as the Division of Juvenile Services' EEO Officer.
3. **EEO Counselor:** An employee appointed by the Facility Superintendent/Director who is trained to advise employees and management on proper EEO procedures and assist in the management in the same, as directed.

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PROCEDURES

1. No person working within the Division of Juvenile Services shall participate in or condone any discriminatory practice against any of its employees or those seeking employment for any reason(s) which may include, but are not limited to:
 - a. Race
 - b. Religion
 - c. Gender, to include sexual harassment
 - d. Color
 - e. National Origin
 - f. Marital Status
 - g. Age
 - h. Sexual preference and/or
 - i. Disability, Veteran's status or citizenship, except where such is a bona fide occupational qualification, within the limits of imposed law or regulation.
2. The Director shall designate an EEO Coordinator for the Division of Juvenile Services who shall be responsible for ensuring all EEO Counselors are properly trained and being a liaison between the Division of Juvenile Services and the State EEO Office.
3. Each Facility Director/Superintendent shall make recommendation(s) to the Director for the assignment of EEO Counselor(s) at his/her facility.
4. Any employee who believes that he/she has been the victim of a discriminatory action should report such to an identified EEO Counselor or the Division of Juvenile Services' EEO Coordinator without fear of intimidation or reprisal.
5. If the employee determines to report his/her belief that he/she has been a victim of a discriminatory action to his/her EEO Counselor, the EEO Counselor shall contact the Division of Juvenile Services' EEO Coordinator who, after necessary and appropriate consultation with the EEO Counselor, will take any necessary action as outlined by the West Virginia State EEO Office.

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6. If the employee determines to report to the EEO Coordinator that he/she believes that he/she has been a victim of a discriminatory act, the EEO Coordinator (after necessary consultation with the EEO Counselor as appropriate) shall take immediate action as outlined in the EEO complaint investigation policy.
7. The EEO Coordinator shall ensure that all reasonable steps are maintained for ensuring confidentiality regarding complaints of discrimination.
8. Any Division of Juvenile Services' employee found practicing or condoning acts of discrimination is subject to disciplinary action as outlined in Division of Juvenile Services' Policy 138.00 – Progressive Discipline, as well as applicable State and Federal laws.
9. Retaliation against any employee or applicant filing a complaint, or against any witness providing information, regardless of the outcome of the complaint, is prohibited.
10. Decisions and practices regarding recruitment, hiring, training, promotions, layoff, disciplinary actions, compensation, scheduling, benefits, program services, and all other employment actions shall be made by supervisory management without regard to race, color, religion, ancestry, age, national origin, sex, military status, or disability.
11. When deficiencies exist regarding the employment of minority groups and women, the division can document the implementation of an affirmative action program that is approved by the appropriate government agency and can document annual reviews and the changes needed to keep the program current.
12. All available resources shall be utilized by employees to achieve a fully integrated workforce.
13. Each facility will have in place an operational policy and procedural plan to ensure the standards and practices of this policy are followed.

RIGHTS RESERVED

The Director reserves the right to modify, suspend or cancel any provision herein in part or entirety, without advance notice, unless prohibited by law.

APPROVED:

Director

Date